

17 APR 1959

**Mr. Phillip S. Hughes**  
**Assistant Director for Legislative Reference**  
**Bureau of the Budget**  
**Washington 25, D. C.**

**Dear Mr. Hughes:**

Thank you for your memorandum of 17 April 1959 requesting our views on the Office of Civil and Defense Mobilization draft bill, "The National Defense Civilian Reserve Act." We have carefully reviewed the OCDM proposal.

I note the proposed letter from the Director of the Office of Civil and Defense Mobilization to the Speaker of the House and the President of the Senate states that the Central Intelligence Agency has need for a National Defense Civilian Reserve unit. Insofar as legal authorities are concerned, we do not have a requirement for specific statutory authorization of this type. In fact, this Agency has in existence a program the objectives of which are quite similar to those of the draft legislation. However, the OCDM proposal does contain provisions which would be of value to this Agency.

Section 7 of the draft bill provides that members of reserve units may be "provisionally appointed" to positions in the department concerned. In the absence of statutory definition of the term "provisionally appointed," it is possible that it may be susceptible of differing constructions. In addition, the provision in this section that members of the reserve who are called to active duty shall be temporary employees may be unnecessarily restrictive to be included in the law.

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Other than the above comments, this Agency would have no objection to the enactment of the draft bill in its present form.

Sincerely,

  
Legislative Counsel

CONCURRENCE:

(2)   
Director of Personnel

17 APR 1959

Date

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